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PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/722,948
		Filing Date	November 25, 2003
		First Named Inventor	Greg MARRIOTT
		Art Unit	2629
		Examiner Name	R. Liang
Total Number of Pages in This Submission		Attorney Docket Number	106842005400

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard Copies of IDS Citations (87 refs)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Alex Chartove		
Date	July 20, 2007	Reg. No.	31,942



PTO/SB/17 (06-07)

Approved for use through 06/30/2007. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2007

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

180.00

Complete if Known

Application Number	10/722,948
Filing Date	November 25, 2003
First Named Inventor	Greg MARRIOTT
Examiner Name	R. Liang
Art Unit	2629
Attorney Docket No.	106842005400

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____
 Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayments of Credit any overpayments
 fee(s) under 37 CFR 1.16 and 1.17

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity
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50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 =	x	=				

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		
- 3 =	x	=			

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00

SUBMITTED BY						
Signature	Alex Chartove	Registration No. (Attorney/Agent)	31,942	Telephone	(703) 760-7744	
Name (Print/Type)	Alex Chartove			Date	July 20, 2007	



Patent
Docket No. 106842005400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Greg MARRIOTT et al.

Serial No.: 10/722,948

Filing Date: November 25, 2003

For: **TOUCH PAD FOR HANDHELD
DEVICE**

Examiner: R. Liang
Group Art Unit: 2629

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

Applicants submit herewith a Supplemental Information Disclosure Statement identifying art of which applicant became aware as a result of the following Japanese patent proceedings:

(A) Civil Division 47th-B of Tokyo District Court

Complaint: Year 2007 (wa) No. 2525 Case of Demand for Declaratory Judgment of Non-indebtedness

07/23/2007 AWONDAF2 00000057 031952 10722948
01 FC:1806 180.00 DA

Counterclaim: Year 2007 (wa) No. 6312 Case of Damages Counterclaim Plaintiff (Defendant in Counterclaim): Apple Japan, Inc.

Defendant (Plaintiff in Counterclaim): Shigeru Saito Architecture Research Institute Plaintiff (Defendant in Counterclaim) Intervenor: Apple Japan Holdings, Inc.

(B) Case No. 1000-1280

Details of Rights pertaining to Application for Import Suspension

- (1) Petitioner Shigeru Saito Architecture Research Institute
- (2) Name of product considered to be infringing Small, portable music player
- (3) Details of intellectual property

Patent rights pertaining to a contact operation-type input device and its electronic components Patent Number 3852854 [Claim 3]

The above-referenced Japanese patent proceedings involve alleged infringement by Apple Japan, Inc. of Japanese Patent JP 3852854. The above-referenced Japanese patent proceedings do not involve any patent corresponding to applicants subject U.S. patent application, for which allowance is now currently being sought.

This Supplemental Information Disclosure Statement is submitted after receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance. A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing (106842005400).

Dated: July 20, 2007

Respectfully submitted,

By Alex Chartove
Alex Chartove

Registration No.: 31,942
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 400
McLean, Virginia 22102
(703) 760-7744



ALTERNATIVE TO PTO/SB/08A/B (04/07)

Substitute for form 1449/PTO				Complete If Known	
				Application Number	10/722,948
				Filing Date	November 25, 2003
				First Named Inventor	Greg MARRIOTT
				Art Unit	2629
				Examiner Name	R. Liang
Sheet	1	of	6	Attorney Docket Number	106842005400

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1.	1,061,578	05/13/1913	Wischhusen et al.	
	2.	2,903,229	02/24/1956	Landge	
	3.	2,798,907	07/09/1957	Schneider	
	4.	2,945,111	10/24/1958	McCormick	
	5.	3,965,399	06/22/1976	Walker et al.	
	6.	4,121,204	10/17/1978	Welch et al.	
	7.	4,129,747	12/12/1978	Pepper, J.	
	8.	4,242,676	12/30/1980	Piguet et al.	
	9.	4,246,452	01/20/1981	Chandler	
	10.	4,293,734	10/06/1981	Peper Jr.	
	11.	4,380,007	04/12/1983	Steinegger	
	12.	4,380,040	04/12/1983	Posset	
	13.	4,475,008	10/02/1984	Doi et al.	
	14.	4,570,149	02/11/1986	Thornburg et al.	
	15.	4,587,378	05/06/1986	Moore	
	16.	4,644,100	02/17/1987	Brenner et al.	
	17.	4,734,034	03/29/1988	Maness et al.	
	18.	4,736,191	04/05/1988	Matzke et al.	
	19.	4,739,299	04/19/1988	Eventoff et al.	
	20.	4,752,655	06/21/1988	Tajiri et al.	
	21.	4,755,765	07/05/1988	Ferland	
	22.	4,764,717	08/16/1988	Tucker et al.	
	23.	4,798,919	01/17/1989	Miessler et al.	
	24.	4,810,992	03/07/1989	Eventoff	
	25.	4,849,852	07/18/1989	Mullins	
	26.	4,856,993	08/15/1989	Maness et al.	
	27.	4,897,511	01/30/1990	Itaya et al.	
	28.	4,914,624	04/03/1990	Dunthorn	
	29.	5,008,497	04/16/1991	Asher	
	30.	5,036,321	07/30/1991	Leach et al.	
	31.	5,159,159	10/27/1992	Asher	
	32.	5,159,159	10/27/1992	Asher	

Examiner Signature		Date Considered
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Substitute for form 1449/PTO				Complete If Known	
				Application Number	10/722,948
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				First Named Inventor	Greg MARRIOTT
				Art Unit	2629
				Examiner Name	R. Liang
Sheet	2	of	6	Attorney Docket Number	
				106842005400	

33.	5,231,326	07/27/1993	Echols	
34.	5,305,017	04/19/1994	Gerpheide	
35.	5,367,199	11/22/1994	Lefkowitz et al.	
36.	5,416,498	05/16/1995	Grant	
37.	5,424,756	06/13/1995	Ho et al.	
38.	5,432,531	07/11/1995	Calder et al.	
39.	5,450,075	09/12/1995	Waddington	
40.	5,479,192	12/26/1995	Carroll, Jr. et al.	
41.	5,559,301	09/24/1996	Bryan Jr. et al.	
42.	5,581,670	12/03/1996	Bler et al.	
43.	5,589,893	12/31/1996	Gaughan et al.	
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47.	5,627,531	08/06/1997	Posso et al.	
48.	5,657,012	08/12/1997	Tart	
49.	5,689,285	11/18/1997	Asher	
50.	5,790,769	08/04/1998	Buxton et al.	
51.	5,805,144	09/08/1998	Scholder et al.	
52.	5,841,423	11/24/1998	Carroll Jr. et al.	
53.	5,859,629	01/12/1999	Tognazzini	
54.	5,875,311	02/23/1999	Bertram et al.	
55.	5,903,229	05/11/1999	Kishi	
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59.	6,473,069	10/29/2002	Gerphelde	
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62.	2004-0267874	12/30/2004	Westberg et al.	
63.	6,894,916	5/17/2005	Reohr et al.	
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65.	2007/0080938	4/12/2007	Robbin et al.	
66.	2007/0085841	4/19/2007	Tsuk et al.	

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO				Complete If Known	
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				Examiner Name	R. Liang
Sheet	3	of	6	Attorney Docket Number	106842005400

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
	67.	JU 57-95722	06/12/1982		
	68.	JU 55-174009	06/17/1982		
	69.	JP 61-164547	01/28/1988		
	70.	JP 63-298518	12/06/1988		
	71.	JU 03-57617	06/04/1991		
	72.	JP 04-32920	02/04/1992		
	73.	JU 05-36623	05/18/1993		
	74.	FR 2 686 440 A1	07/23/1993		
	75.	JP 05-233141	09/10/1993		
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	77.	JP 05-289811	11/05/1993		
	78.	JP 06-20570	01/28/1994		
	79.	JP 06-096639	04/08/1994		
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	81.	JP 06-187078	07/08/1994		
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	84.	WO 95/00897-A1	01/05/1995		
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Examiner Signature		Date Considered
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				Art Unit	2629
				Examiner Name	R. Liang
Sheet	4	of	6	Attorney Docket Number	
106842005400					

92.	JP 08-016292	01/19/1996			
93.	JP 08-115158	05/07/1996			
94.	EP 0 731 407 A1	09/11/1996			
95.	JP 08-299541	11/19/1996			
96.	EP 0 551 778 B1	01/15/1997			
97.	JP 09-128148	05/16/1997			
98.	JP 09-230993	09/05/1997			
99.	JP 09-233161	09/05/1997			
100.	JP 10-074429	03/17/1998			
101.	JP 10-227878	08/25/1998			
102.	JP 11-184607	07/09/1999			
103.	JPA 10-012010	07/21/1999			
104.	JPA 10-012025	07/21/1999			
105.	JPA 10-012026	07/21/1999			
106.	JPA 10-012027	07/21/1999			
107.	JPA 10-012028	07/21/1999			
108.	JPA 10-012029	07/21/1999			
109.	JP 11-203045	07/30/1999			
110.	JPA 10-089535	10/08/1999			
111.	JP 2000-267786	09/29/2000			
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113.	JP 2001-22508	01/26/2001			
114.	JP 2002-215311	08/02/2002			
115.	JPA 2005-99635	09/15/2005			
116.	JPA 2005-133824	10/13/2005			
117.	JPA 2005-134953	10/20/2005			
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Examiner Signature		Date Considered	
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				Examiner Name	R. Liang
Sheet	5	of	6	Attorney Docket Number	
106842005400					

	119.	JPA 2005-358970	07/06/2006		
	120.	JP-3,852,854	09/15/2006		
	121.	JPA 2005-312433	05/17/2007		

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	²
	122.	"Atari VCS/2600 Peripherals", www.classicgaming.com , downloaded February 28, 2007, pp. 1-15.	
	123.	"Alps Electric introduces the GlidePoint Wave Keyboard; combines a gently curved design with Alps' advanced GlidePoint Technology", Business Wire, (October 21, 1996).	
	124.	"Alps Electric Ships GlidePoint Keyboard for the Macintosh; Includes a GlidePoint Touchpad, Erase-Eaze Backspace Key and Contoured Wrist Rest, Business Wire, (July 1, 1996)	
	125.	"APS show guide to exhibitors", Physics Today, 49(3) (March 1996).	
	126.	"Design News literature plus", Design News, 51(24) (December 18, 1995).	
	127.	"Manufactures", Laser Focus World, Buyers Guide '96, 31(12) (December 1995).	
	128.	"National Design Engineering Show", Design News, 52(5) (March 4, 1996).	
	129.	"Preview of exhibitor booths at the Philadelphia show", Air Conditioning Heating & Refrigerator News, 200(2) (January 13, 1997).	
	130.	"Product news", Design News, 53(11) (June 9, 1997).	
	131.	"Product news", Design News, 53(9) (May 5, 1997).	
	132.	Ahl, David, "Controller Updated", Creative Computing 9(12) (December 1983).	
	133.	Baig, E.C., "Your PC Might Just Need a Mouse", U.S. News and World Report, 108(22), (June 4, 1990)	
	134.	Bartimo, Jim, "The Portables: Traveling Quickly", Computerworld (November 14, 1983).	
	135.	Brink et al., "Pumped-up portables", U.S. News & World Report, 116(21) (May 30, 1994).	
	136.	Brown et al., "Windows on Tablets as a Means of Achieving Virtual Input Devices", Human-Computer Interaction - INTERACT '90 (1990).	
	137.	Buxton et al., "Issues and Techniques in Touch-Sensitive Tablet Input", Computer Graphics, 19(3), Proceedings of SIGGRAPH '85 (1985).	
	138.	Chen et al., "A Study in Interactive 3-D Rotation Using 2-D Control Devices", Computer Graphics 22(4) (August 1988).	
	139.	Evans et al., "Tablet-based Valuators that Provide One, Two, or Three Degrees of Freedom", Computer Graphics 15(3) (August 1981).	

Examiner Signature		Date Considered	
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				Application Number	10/722,948
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				First Named Inventor	Greg MARRIOTT
				Art Unit	2629
				Examiner Name	R. Liang
Sheet	6	of	6	Attorney Docket Number	106842005400

140.	Jesitus, John, "Broken promises?", Industry Week/IW, 246(20) (November 3, 1997).	
141.	Mims, Forrest M. III, "A Few Quick Pointers; Mouses, Touch Screens, Touch Pads, Light Pads, and the Like Can Make Your System Easier to Use", Computers and Electronics, 22, (May, 1984)	
142.	Nass, Richard, "Touchpad input device goes digital to give portable systems a desktop "mouse-like" feel", Electronic Design, 44(18) (September 3, 1996).	
143.	Perenson, Melissa, "New & Improved: Touchpad Redux", PC Magazine (September 10, 1996).	
144.	Petersen, Marty, "Koalapad Touch Tablet & Micro Illustrator Software", InfoWorld, (October 10, 1983)	
145.	Petruzzellis, "Force-Sensing Resistors" Electronics Now, 64(3), (March 1993).	
146.	Soderholm, Lars D., "Sensing Systems for 'Touch and Feel'", Design News, (May 8, 1989)	
147.	Sony presents "Choice Without Compromise" at IBC '97 M2 PRESSWIRE (July 24, 1997.)	
148.	Spiwak, Marc, "A Great New Wireless Keyboard", Popular Electronics, 14(12) (December 1997).	
149.	Spiwak, Marc, "A Pair of Unusual Controllers", Popular Electronics 14(4) (April 1997).	
150.	Tessler, Franklin, "Point Pad", Macworld 12(10) (October 1995).	
151.	Tessler, Franklin, "Smart Input: How to Choose from the New Generation of Innovative Input Devices," Macworld 13(5) (May 1996).	
152.	Tessler, Franklin, "Touchpads", Macworld 13(2) (February 1996).	
153.	"Triax Custom Controllers Due; Video Game Controllers," HFD-The Weekly Home Furnishings Newspaper, 67(1), (January 4, 1993)	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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